

REMARKS

This is in response to the Official Action in accordance with the practice established under *Ex parte* Quayle currently outstanding with respect to the above-identified application.

Claims 1-19 were present in this application as of the time of the issuance of the currently outstanding Official Action. By the foregoing Amendment, Claim 14 has been amended. No claims have been cancelled and no New Claims have been added. No new matter has been added to this application by virtue of the amendment of any of the claims. Accordingly, upon the entry of the foregoing Amendment, Claims 1-19 will constitute the claims under active prosecution in this application.

A version of the claims as they will stand upon the entry of this amendment is set forth above as required by the Rules.

More specifically, it is noted that in the currently outstanding Official Action, the Examiner has:

1. Acknowledged Applicants' claim for foreign priority under 35 USC 119(a)-(d), and indicated that the required certified copies of the priority document have been received by the United States Patent and Trademark Office.
2. Acknowledged Applicants' Information Disclosure Statement of 25 November 2003 by providing Applicants with a copy of the Form PTO-1449 that accompanied that Statement duly signed, dated and initialed by the Examiner to confirm his consideration of the art disclosed therein;

4. Failed to advise Applicants concerning whether or not the new formal drawings submitted on 28 July 2003 that add the legend -- PRIOR ART -- to Figures 6-10 are acceptable. **Applicants presume from the fact that the Examiner has declared prosecution on the merits of this application to be closed that the Examiner has accepted the new formal drawings submitted on 28 July 2003. Should this presumption be incorrect, Applicants respectfully request that the Examiner notify their undersigned representative concerning any changes deemed necessary by telephone as soon as possible.**
5. Objected to Claims 14-16 for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention on the basis that it is unclear from the current wording of Claim 14 why a clock signal is generated but never used later in the claim, but indicated that Claims 14-16 would be allowable if rewritten in a manner overcoming the foregoing objection.
6. Indicated that Claims 1-13 and 17-19 are allowed.
7. Declared prosecution on the merits closed under the practice established in accordance with *Ex parte Quayle*.

Further comment concerning items 1-4 and 6-7 are not deemed to be necessary in these Remarks.

With respect to item 5, Applicants by the foregoing Amendment have amended Claim 14 so as to delete the limitation "a clock generation circuit for generating a clock signal for use in recording of the data; and". Applicants respectfully submit that the deleted phraseology from Claim 14 is unnecessary, and in view of the Examiner's comments in the currently outstanding Official Action, potentially confusing. It is also respectfully submitted that Claim 14 as hereinabove amended is fully and appropriately supported by the specification as well as being otherwise in condition for allowance.

Accordingly, in view of the foregoing Amendment and the Examiner's comment that Claims 15 and 16 will be allowable upon Claim 14 being rewritten in a manner that removes his objection under 37 CFR 1.75(a) thereto, Applicants respectfully submit that upon the entry of the foregoing Amendment this application will be in condition for allowance. Reconsideration and allowance of Claims 1-19 in response to this communication, therefore, are respectfully requested.

Finally, Applicants believe that additional fees are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

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